IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 33598 of 1998

Between:

APSRTC., Rep.by its Managing Director,
Mushirabad, Hyderabad.

..... PETITIONER

AND

1 State Transport Appellate Tribunal, Rep.by its Presiding Officer.
Hyderabad, A.P.,
2 The Regional Transport Authority, Rep.by its Secretary.
Kakinada, East Godavari District.
3 Sri Talapulamma Ammavari Devasthanam, Rep.by its the Asst.

Commissioner and Executive Officer,
Lovakothur, Tuni Mandal, East Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, especially in the nature of a writ of certiorari, calling for the records relating to the impugned order dt. 21-8-98 made in M.P.No. 104/94 in C.No. 138/94, State Transport Appellate Tribunal , A.P., Hyderabad filed against the order in R.No. 9962/A2/91 , dt. 4-6-91, Regional Transport Authority, Kakinada granting town service permit to 3rd respondent on the route, Lovakothuru to Tuni Milk Chilling Center; and quash both the said orders as being illegal, without jurisdiction and invalid and directing the 3rd respondent-Devasthanam not to ply its buses on the route, Ammavari Temple to Tuni Milk Chilling Center,

Counsel for the Petitioner:MR.K.HARINATH

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following :

ORDER:

The present writ petition is filed by the A.P.State Road Transport Corporation, questioning the order of the State Transport Appellate Tribunal , A.P., Hyderabad dt. 21-8-98 made in M.P.No. 104/94 in
C.No. 138/94, dismissing the application filed by petitioner herein to condone the delay of 139 days in filing the revision against order in R.No. 9962/A2/91 , dt. 4-6-91, Regional Transport Authority, Kakinada granting town service permit to 3rd respondent on the route, Lovakothuru to Tuni Milk Chilling Center.

Heard learned counsel for petitioner and learned Government Pleader for Transport. Both counsel conceded that the matter is squarely covered by Full Bench decision of this Court in A.P.S.R.T.C. Vs. STATE TRANSPORT APPELLANT TRIBUNAL AND OTHERS.

Since, the issue raised in the present writ petition is squarely covered by the above cited decision of the full bench of this Court, following the same, the present writ petition is dismissed. No costs.

N.V.RAMANA,J

24-2-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Presiding Officer, State Transport Appellate Tribunal,.
Hyderabad, A.P.,
2 The Secretary, Regional Transport Authority,
Kakinada, East Godavari District.
3 The Asst. Commissioner and Executive Officer,
Sri Talapulamma Ammavari Devasthanam, Lovakothur, Tuni

Mandal, East Godavari District.

4) 2 CD copies The Government Pleader for Transport, High Court of A.P. Buildings, Hyderabad (OUT)

5) 1 CC to MR.KALLAKURI SRINIVASARAO

*Form-NIC-OGS/WP{**KCS**}*